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2003
ANNUAL REPORT
THE ALLAGASH WILDERNESS
WATERWAY

To the Joint Standing Committee
on
Agriculture, Conservation, and Forestry

Submitted By:

MAINE DEPARTMENT OF CONSERVATION
Bureau of Parks and Lands

March 1, 2004

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ALLAGASH WILDERNESS WATERWAY ANNUAL REPORT 2003

This Allagash Wilderness Waterway (AWW) Annual Report is submitted to the Agriculture, Conservation, and Forestry Committee (ACF) to fulfill a commitment made to the Committee in a letter dated April 2, 2003, from Department of Conservation (DOC) Commissioner Patrick McGowan to the Committee co-chairs. (Attachment A)

I. Legislation

On March 31, 2003, the ACF Committee held a public hearing on four bills related to the AWW:

LD 714: An Act to Establish the Allagash Waterway Advisory Council;

LD 723: An Act to Require an Annual Report for the Allagash Wilderness Waterway;

LD 1058: Resolve, to Ensure Orderly Planning for the Allagash Wilderness Waterway;

LD 1106: An Act to Require Wilderness Training for the Manager of the Allagash Wilderness Waterway.

The ACF Committee, with the assurances provided in Commissioner McGowan's letter to the Committee, voted unanimously that the four bills "ought not to pass".

II. Public Use (April through November, except for Sporting Camp Use)

Year	Parties	Persons	Camping Days	Sporting Camp Days	Day Use	Total Visitor Days
1999	5,650	16,420	34,144	3,717	10,215	42,020
2000	4,412	13,414	32,503	3,930	19,350	55,783
2001	1,535	5,649	24,954	3,608	12,646	41,208
2002	1,567	5,930	25,784	3,685	5,788	35,257
2003	1,362	5,141	22,501		3,146	

Note:

- 2003 Sporting Camp Use (Nugent's and Jalbert's) will be reported with lessees' lease payments in the spring.

III. Income FY 02-03

- Revenue to General Fund (camping, portage, and lease fees): \$65,853;
- Revenue to Dedicated "One Dollar" account: \$25,049.

IV. Allagash Wilderness Waterway Expenditures FY '98-FY'03

General Fund	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
Personal Services	339,708	359,589	328,238	344,245	372,213	407,113
All Other	56,474	57,920	76,664	59,616	36,564	51,374
Capital	0	6,150	6,480	32,699	6,220	6,249
Total General Fund Expenses	396,182	423,659	411,382	436,560	414,997	464,736

Other Funding Sources	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
Loon Account - All Other**	35,277	26,286	28,419	44,020	7,251	31,258
Loon Account - Capital	115,661	3,278	8,000	0	0	25,170
Total Loon Account Expenses	150,938	29,565	36,419	44,020	7,251	56,428
AWW \$1.00 Account - All Other ¹ **	5,438	5,192	3,324	3,001	5,152	11,335
AWW \$1.00 Account - Capital	31,044	6,000	16,400	53,966	33,139	2,779
Total AWW \$1.00 Account Expenses	36,482	11,192	19,724	56,967	38,291	14,114
Poland Spring Account - All Other**				7,983	18,171	16,677
Poland Spring Account - Capital				0	0	0
Total Poland Spring Expenses				7,983	18,171	16,677

Total Operating Expenses	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
	583,602	464,416	467,524	545,529	478,710	551,956

¹ Capital improvement-related assessments, engineering
 ** includes STA-CAP and DI-CAP charges

V. Actions/Projects

Churchill Dam: The electric motor that raises the deep gate was replaced;

Lock Dam: A section of wooden facing was torn off by ice. Kleinschmidt Engineers' assessment revealed that the timbers to which the facing is anchored are rotten. Estimated cost to replace timbers and attach facing \$183K. Consideration is being given to replacing the wooden facing with riprap. Est. cost \$151K. Consultation with the Advisory Council and NPS will take place before any significant repair or restoration takes place;

Telos Dam: Rock ballast was added to the cribs and dam leakage was reduced 50% by placing impermeable membrane over the noses of the cribs. Leaking continues underneath the original base of the dam. Estimated cost to drive steel, sheet cut-off piling to prevent leaking is \$150K. Consultation with the Advisory Council and NPS will take place before any significant repair or restoration takes place;

Churchill Depot Barn: Surface and subsurface drainage improvements were made;

Michaud Farm: Well drilled;

Sidecar Restoration: Restoration of two sidecars used on the Eagle-Chamberlain Lake railroad (LaCroix) was started;

Round Pond (Telos) Ranger Camp: Water pump and lights put on solar powered electricity;

Churchill Depot and Chamberlain Bridge Ranger Stations: Solar powered electricity for water pumps, lights, etc. to reduce generator use;

Churchill Depot: MOHF grant to fund upgrading of satellite phone was received;

Chamberlain Bridge Ranger Station: MOHF grant to provide a cell phone was received;

Campsite enhancement: As a follow up to the River Drivers' Agreement, Waterway campsites were visited by DOC staff and a "wilderness" planner from the National Park Service. Tasks to enhance the "primitive character" of the shore land are planned for implementation in 2004, e.g., stone steps and plantings for mitigation of bank erosion and screening; reduction of cells at some multi-cell sites; repositioning of some tables to reduce visibility; color change and repositioning of "toilet" signs; relocation of trails passing in front of adjacent cells.

VI. Volunteers

118 volunteers completed 787 documented hours of work in the AWW. Work included brush removal at Lock Dam; building and installing new tables and tarp poles; installing a new flagpole at the Chamberlain Bridge ranger camp; brush removal at the Chamberlain Bridge parking lot, filling postholes at Churchill Depot; installing signs; diverse campsite maintenance; refurbishing Lost Popple Campsite.

VII. Timber Harvesting/New Road Construction

2003 Harvest notifications and applications*:

Lands Division, Bureau of Parks and Lands:

1 application in the Visible Area exceeding the standards;

1 application in the Visible Area within the standards;

2 notifications to harvest within the Mile Zone;
1 notification for road construction (reopening 1 mile) outside the Quarter Mile Zone;
1 road construction application for 3/8 mile of new road within the Quarter Mile Zone.**

Katahdin Timberlands

5 notifications to harvest within the Mile Zone;
1 road construction application for ¼ mile of road within the Quarter Mile Zone;
1 notification of new road construction (1 mile) outside the Quarter Mile Zone.

Irving

13 notifications to harvest within the Mile Zone;
1 notification for road construction (2800') outside the Quarter Mile Zone;
3 applications for harvesting in the Visible Area within the standards;
2 applications for harvesting within the Visible Area exceeding the standards

Clayton Lake Woodlands

1 notification to harvest within the Mile Zone;
2 applications to harvest within the Visible Area exceeding the standards.

Seven Islands

4 notifications to harvest wood within the Mile Zone;
2 notifications to construct roads (2.7 mile total) outside the Quarter Mile Zone.

*All harvesting in the Visible Area requires approval of the Bureau Director; harvesting outside the Visible Area only requires notifying the Bureau. Harvesting in the Visible Area that exceeds the standards adopted in the Bureau's rules requires special justification.

** New road construction in the Quarter Mile Zone requires Bureau approval. Approval of new road construction in the Quarter Mile Zone requires that the road be blocked to prevent access when harvesting has been completed.

VIII. River Drivers' Agreement

Commissioner McGowan led a facilitated retreat with selected stakeholder participants in May 2003 in an effort to build consensus on access and other issues that had been the subject of controversy concerning the AWW's status as a component of the federal Wild and Scenic River System. The result of this retreat, which affirmed all but two of the consensus agreements reached at the Advisory Council retreats of 2002, and, in addition to completing the consensus process for access issues left unresolved in 2002, included several other policy decisions pertaining to enhancement of the Waterway's wilderness character and historic interpretation. The full text of the "River Drivers' Agreement", which was signed by all participants including the representative of the National Park Service who oversees the Wild and Scenic River System in the northeast, is attached (Attachment B).

As a result of the River Drivers' Agreement, nine "working action groups" chaired by DOC staff and largely comprised of Waterway stakeholders and interested individuals, were established to implement the agreed upon actions. (Attachment C)

IX. Memorandum of Agreement (MOA) Between the DOC and the National Park Service

The MOA between NPS and DOC, dated 2.22.02, (Attachment D) requires the DOC to carry out mitigating actions in order to receive NPS after-the-fact consent for the reconstruction of Churchill Dam. The actions and their current status (February 2004) are as follows.

A.. "On-The-Ground Mitigation" (MOA II.A)

Action: Plant and re-vegetate riprapped dam abutments

Deadline: 3.21.04

Status: Completed. Reseeding may be needed in 2004.

Action: Relocate visitor parking at Churchill Depot

Deadline: 3.21.04

Status: Completed.

Action: Plant additional screening vegetation at Churchill Depot

Deadline: 3.21.94

Status: Completed

Action: Lengthen trail at Bissonette Bridge access point.

Deadline: 3.21.04

Status: Canceled. The River Drivers' Agreement calls for leaving the trail length as it is. The MOA will be amended.

Action: Keep John's Bridge parking, access road, and infrastructure outside the Restricted Zone

Deadline: None.

Status: The River Drivers' Agreement provides for unloading and launching at the bridge, with a day-use permit from the Bureau, during May and September, parking outside the Restricted Zone. Vehicle access to the water's edge will be blocked. The rules have been amended to reflect this policy.

B. "Resource Planning and Management" (MOA II.B.)

Action: Historic Resource Study for the AWW: logging and outdoor recreation, and associated properties; character defining features of structures; nominate properties for the National Register.

Deadline: 3.21.07

Status: Ongoing. Many of the “background papers” have been completed by the Bureau’s Historic Sites Specialist. The history portion of the Bureau’s AWW Internet Web page has been substantially expanded.

Action: Historic Structure Report for Churchill Depot Boarding House

Deadline: 3.21.07

Status: Will be completed by fall 2004.

Action: HABS/HAER (Historic American Survey/Historic American Engineering Record) documentation of Eagle Lake Tramway and railroad and associated water control structures (dams and Telos Cut) to Secretary of the Interior’s standards

Deadline: 3.21.07

Status: Partially completed. Grants are being sought to help pay for engineers’ assessment, research, and documentation.

Action: Continue to identify and preserve prehistoric sites and artifacts

Deadline: ongoing

Status: The Bureau’s Historic Sites Specialist and the Historic Preservation Commission’s Archaeologist are in regular contact regarding ongoing identification and protection of AWW’s archaeological resources.

C. Review of 1999 AWW Management Plan

Action: Recommend additions to the 1999 AWW Management Plan on how Wild and Scenic Rivers Act (WSRA) and federal guidelines should be interpreted and applied to AWW, specifically dams, bridges, buildings, and the type and number of access points.

Deadline: 3.21.04

Status: The River Drivers Agreement described open water access points. Proposed amendments to the 1999 Plan concerning the significance of the federal designation and access have been drafted and will be reviewed with the NPS and the Advisory Council before public review and comment in the spring. Proposed language concerning the review of buildings, bridges, and dams has been drafted for review by the NPS and the Advisory Council.

Action: Recommendation to incorporate the intent of the federal “wild” designation into the 1999 AWW Management Plan.

Deadline: 3.21.04

Status: Proposed language has been drafted and will be reviewed by the NPS and the Advisory Council.

Action: Consider the use of the AWW by Maine citizens when examining the relationship between the state statute and the WSRA

Deadline: Ongoing

Status: Incorporated into the River Drivers’ Agreement.

X. Advisory Council

The AWW Advisory Council met in May, August, and December. The Council was reconstituted in August with the replacement of several members of the previous council (current Council membership list is Attachment E)

XI. Wilderness Area Management Training

Wilderness first-aid training was completed by all staff;

Advanced white-water rescue training completed by rangers and assistant rangers.

The Waterway Manager will complete a six-month, Internet-based course, "Management of Recreation Resources", given by the Arthur Carhart National Wilderness Training Center through the University of Montana, in June 2004. This course explores and discusses how to manage for quality visitor experiences, and includes examples of common problems and solutions. Managing to minimize recreational impacts along with wilderness education and information techniques, law enforcement and emergency response is also covered.

The Parks Division's Northern Regional Manager, whose jurisdiction includes the Waterway, completed a course, "Wilderness and Wild and Scenic Rivers Management", at the University of Maine, in the fall semester of 2003. This course provided a historical overview of wilderness and protected area management in the United States and analyzed management techniques adopted by many different agencies since the passage of the federal Wilderness Act of 1964 and the 1968 Wild and Scenic Rivers Act.

XII. Rule Compliance Incidents

No summonses were issued; 19 written, "courtesy" Warnings were issued:*

- 3-winter campfires above the ice;
- 1 -illegal camping (at Taylor camps);
- 1-failure to pay COB parking lot fee;
- 2-cutting live trees/branches;
- 2-illegal access to Allagash Lake;
- 1-failure to extinguish campfire fire;
- 3-illegal access/parking at Umsaskis Thoroughfare Bridge;
- 1-motor vehicle access to walk in site;
- 2-illegal access/parking at John's Bridge;
- 2-unauthorized canoe size;
- 1-sailing violation (store bought sail attached to canoe).

* First-time violations result in a written warning. Subsequent violations may result in summonses.

The Waterway staff was encouraged to enforce all rules, but to concentrate on educating the public regarding the cutting of live branches/trees in all seasons and placing fires on the ice in the wintertime.

XIII. Rule Amendments

The rules governing public recreational use of the Waterway were amended in December, consistent with the requirements of the Administrative Procedures Act, in order to reflect the access policy changes of the River Drivers' Agreement and to clarify certain existing rules. A copy of the amended rules is Attachment F.

IX. Land Use Regulation Commission

- There were no reported LURC violations;
- The John's Bridge parking lot and access trail application was withdrawn by the Bureau;
- A permit application was filed for the reconstruction of the Taylor Camps. The Bureau received comments on the application and is in the process of preparing a response to address the concerns expressed by the comments. The application will be acted upon by LURC in the near future.

ATTACHMENTS

- A. Commissioner McGowan's letter dated April 2, 2003 to the ACF Committee**
- B. The River Drivers Agreement**
- C. River Drivers "Working Action Groups"**
- D. DOC/NPS Memorandum of Agreement**
- E. Allagash Wilderness Waterway Advisory Council**
- F. Amended AWW Rules**



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DEPARTMENT OF CONSERVATION
22 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0022

JOHN ELIAS BALDACCI
GOVERNOR

PATRICK K. MCGOWAN
COMMISSIONER

April 2, 2003

Senator Bruce Bryant
Representative Linda Rogers McKee
Member of the Agriculture, Conservation and Forestry Committee
Room 206, COB
Augusta, ME 04333

Dear Senator Bryant, Representative McKee, Members of the Agriculture,
Conservation and Forestry Committee:

By this letter, I follow up the Department of Conservation's testimony in support of L.D. 723 in which the Bureau of Parks and Lands made a commitment to provide the committee an annual report on the bureau's management of the Allagash Wilderness Waterway, beginning in January 2004. We believe that an annual report provided to this committee, and available as well to any interested parties and the general public, can only serve to make clear the financial situation as it relates to the Bureau of Parks and Lands management of the Allagash Wilderness Waterway, the actual type and amount of use of the Waterway, and management actions taken consistent with the Waterway's enabling statute and the "wild" designation of the federal Wild and Scenic Rivers Act. We anticipate that the initial annual reports would also include details of the progress of the review of the 1999 Management Plan called for in the Memorandum of Agreement (MOA) between the Department of Conservation and the National Park Service, as well as the status of the implementation of the actions agreed upon and other timely and important matters.

In our testimony in support of L.D. 1106, we indicated that the bureau will provide training in the management of public wilderness areas to the Waterway Manager and other bureau staff. Subjects pertaining to wilderness area management such as site restoration, facility design, resource monitoring, resource interpretation, carrying capacity, and visitor use management would certainly be adaptable to the Waterway's special circumstances and helpful to the bureau in policy development and management. The annual report submitted to the committee next January, and subsequent reports, will describe the training provided and its application in the management and planning for the Waterway.



Page two
April 2, 2003

As I noted in my testimony on L.D. 1056, the bureau is requesting the Land Use Regulation Commission to place the John's Bridge application in abeyance until further direction from senior management within the Department of Conservation, pending the results of the stakeholder summit. This being the case, I have no objection to the delaying of further LURC action on this matter until the completion of the access review contemplated in the Memorandum of Agreement (MOA)

Finally, let me assure the committee that the department intends to continue to have an Allagash Wilderness Waterway Advisory Council.

Sincerely,

A handwritten signature in black ink, appearing to read "Patrick McGowan". The signature is written in a cursive, flowing style.

Patrick McGowan
Commissioner

ALLAGASH WILDERNESS WATERWAY RETREAT
"River Drivers Agreement"
MAY 10, 2003

In an attempt to build consensus on a set of recommendations regarding access issues on the AWW, retreat participants kept in mind two sets of legitimate values: the desire to preserve the special wilderness character of the Allagash, while honoring the culture and traditional uses of the river by Maine sportsmen.

- 1) We Affirm the Consensus agreements (see table on page 3) from 2002 retreats, adding one language change regarding Chase Rapids limitations ("one way"), except for Bissonette (see #2)
- 2) We agree to modify the MOA treatment of Bissonette Bridge trail extension – leave existing turnaround as is.
- 3) We approve a series of measures designed to Create and Enhance wilderness character of AWW
 1. Improve wild fisheries – DOC and IF&W develop agreement by 7/1/03
 2. Redesign campsites to make them more natural; split up large campsites; utilize landscape for screening
 3. Employ landscape architect to evaluate Waterway to enhance wilderness values
 4. Create fall back campsites near popular campsites; furlough and rotate campsites
 5. Consider color coding system of uses to direct waterway usage; reduce conflicts of usage where and when use conflicts occur
 6. Establish maximum number of days to stay at campsites, example: no more than 3 days in peak summer season except in emergency
 7. Employ advanced information systems tracking usage and making information available to public
 8. Stagger entrance into waterway; consider Boundary Waters canoe registration system; look at Baxter Park parking system
 9. Visually screen structures along waterway
 10. Inventory existing buildings and camps, remove buildings and camps where feasible
 11. Undertake carrying capacity analysis
 12. Creatively utilize waterway staff to enhance wilderness values
 13. Develop brochure (hard and electronic versions) that convey detailed information regarding usage along waterway – an "insiders guide"
- 4) Michaud Farm Road
 1. Cunliffe
 - a. no vehicle access
 - b. canoe only
 - c. screen campsite with vegetation
 2. Ramsey Ledge (west side)
 - a. maintain vehicle access
 - b. vehicle accessible camping
 - c. screen parking from the campsite and the river with vegetation as necessary
 - d. develop good signage
 3. development of new campsite across river for canoe access as appropriate to minimize visual impacts
 4. Retire road south of Ramsey Ledge (subject to land owner approval)

- 5) Land Acquisition
 1. Acquire parcel in Town of Allagash for permanent take-out (LMF water access funds)
 2. Buy land down river of Twin Brooks toward Allagash Village when it becomes available to add to AWW
 3. Create a sub-committee to identify other sites to protect or possibly acquire, along the Waterway (based on availability) for trails, expansion of 500 feet, and other important sites such as Priestly Mountain Trail and Priestly Mountain, Indian Pond and Indian Stream Township, Mud Pond Carry (improve condition of carry), and deer yards adjacent to Allagash when they become available example: Gamache Brook

- 6) Creation of Historical/Cultural Visitor Center
 1. Develop a cultural/heritage center at new take-out parcel in Town of Allagash
 2. Explore idea of Michaud Farm historic place, that could involve restoration of Taylor camps and historical demonstrations – canoe access only

- 7) Timber Harvesting – Collect data on visual and noise impacts along the AWW; work with landowners to minimize noise and visual impacts along the waterway; better monitoring of cutting on state owned land

- 8) Henderson Brook
 1. Create vehicle access at bogon with the ability to unload heavy loads (if this access is acceptable, then Jalbert's would use this new access to unload)
 2. Until the new bogon access can accommodate the heavy loads and in the event that the new access does not work properly then grandfathering with a plug for Jalbert's Camp at current access

- 9) Restoring road to Churchill Dam from its current poor condition to a significantly improved condition with the cooperation of the current landowners (primarily on the east)

- 10) We agree there will be no development at John's bridge; a special day use sticker will be issued on an annual basis that would allow people to go to John's Bridge to put in canoe
 1. May and September only, day use only
 2. Unload parallel to road, no backing down to river (block)
 3. Promote access to Churchill Dam and Indian Stream as preferred alternative (no advertisement of access at John's Bridge)
 4. Track usage

- 11) Enhance Indian Stream put in; provide information about its availability for use

- 12) Special designation outside under Bureau of Parks and Lands for AWW
 1. AWW ambassador program
 2. special ranger designation

Site	Comments/Action
<u>Segment 1. Allagash Lake & Stream</u>	
Island Campsite	Make water access only by rule/block trail
Road access to Allagash Lake	With landowner ok, block new roads at ¼ mile. Needs clarification with existing rule prohibiting vehicles within one mile of lake 5/1-9/30
Trail and tributary access to lake	Continue to allow access
<u>Segment 2. Chamberlain & Telos Lakes</u>	
Chamberlain Bridge	Continue vehicle access including disabled; reduce visual impact with new vegetation; consider changing trip start location
Mud Pond Carry	Seek formal protection
Allagash Stream	Continue to allow access
Webster Stream	Continue to allow access
Mud Pond Stream	Continue to allow access
Tramway Portage	Continue to maintain
Telos Lake	Adopt policy statement this is especially remote and wild area and no further access points will be developed
<u>Segment 3. Eagle & Churchill Lakes</u>	
Ziegler Trail	Close summer access by rule and block trail to campsite
Russell Cove Trail	Close summer access via rule and block
Churchill Depot	Continue vehicle access (including disabled access) to Churchill Lake; relocate parking per MOA so not visible from water
Trail and tributary access	Continue to allow
Eagle Lake trout study	Recommend IF&W make it high priority
<u>Seg. 4 Churchill Dam to Long Lake Dam</u>	
Canoe access below dam	Continue trail access for canoes below dam
Bissonnette	Lengthen trail per MOA to at least 400'
Chase Rapids Shuttle	Eliminate cost to bureau
Chase Rapids Shuttle	Allow only downriver shuttle one way shuttle only
Chase Rapids Shuttle	Drop off shuttled dunnage at 400' trailhead
Bissonnette/Umsaskis	Explore potential campsite between them
Umsaskis Thoroughfare	Relocate entrance to parking lot behind ranger camp; disabled accessible trail (400-500') and use of canoe dollies allowed
Umsaskis Thoroughfare	Block water access on east side of bridge
Umsaskis Thoroughfare	Close present road and landscape to address visual impact

AWW - Working Plan Action Groups

Group	Title	First Name	Nickname	Last Name	Company	Address	1	Town	State	Zip	Phone	Email
Fisheries												
Dave Soucy (Karin)	Mr. John	John	John	Boland	Departmen	RR 1, 338	Gray	ME	04039		657-2345	john.boland@maine.gov
	Mr. George	George	George	Smith	Sportsman	34 Blake H	Mt. Vernon	ME			622-5503w	george@samcef.org
	Ms. Naomi	Naomi	Naomi	Schalit	Maine Rive	3 Wade	St. Augusta	ME	04333			nschalit@mainerivers.org
	Mr. Richard	Dick	Dick	Walthers	Trout Unlin	75 Bow St.	Otisfield	ME			743-7461	wal@megalink.net
	Mr. John	John	John	Richardsor	Nugents ar	HCR 76, B	Greenville	ME			944-5991	745- richardson@starband.net
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Wilderness Characteristics												
Steve Spence	Ms. Marilyn	Marilyn	Marilyn	Tourtlotte	Departmen	106 Hogan	Bangor	ME			941-4014	marilyn.tourtlotte@maine.gov
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	Mr. Dean	Dean	Dean	Bennett		232 Bean F	Mt. Vernon	ME			293-2761	dean.bennett@maine.edu
	Mr. Jym	Jym	Jym	St. Pierre	RESTORE	9 Union St.	Hallowell	ME	04347		626-5635	mainewoods@restore.org
	Ms. Linda	Linda	Linda	Jalbert								
	Mr. John	John	John	Ackerman								
Timber Harvesting												
Dave Soucy	Mr. Alec	Alec	Alec	Giffen	Department of	Conservation						
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Campsite Quality												
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Use Analysis												
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	Ms. Ann	Ann	Ann	Yandian								
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	Ms. Deb	Deb	Deb	Phillips	Department of	Conservation						

AWW - Working Plan Action Groups

	Mr. Will	Will	Harris	Department of Conservation		
History and Education						
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	Mr. Gary	Gary	Pelletier	RR 2, Box Fort Kent ME	834-3468	631-woodsedge@nci2.net
	Ms. Faye	Faye	Hafford			
	Mr. Tom	Tom	Desjardin	Department of Conservation		
	Mr. Tim	Tim	Caverly	PEER		
	Mr. Diano	Diano	Circo	Natural Resources Council of Maine		
	Ms. Marilyn	Marilyn	Tourtelotte	Department 106 Hogan Bangor ME	941-4014	marilyn.tourtelotte@maine.gov
	Mr. Billie	Billie	Hilton	LURC		
	Mr. Peter	Peter				
Access						
Dave Soucy	Ms. Cathy	Cathy	Johnson	Natural Re: 3 Wade St. Augusta ME	622-3101w	cjohnson@nrcm.org
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	Mr. Greg	Greg	Chute	Chewonki		
	Mr. Steve	Steve	Richardsor	Department of Conservation		
	Mr. John	John	Picher	Department of Conservation		
	Mr. Jamie	Jamie	Fosburgh	National P: 15 State St. Boston MA	617-223-5191	jamie_fosburgh@nps.gov
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Acquisition						
Ralph Knoll	Mr. Jym	Jym	St. Pierre			
	Ms. Cathy	Cathy	Johnson	Natural Re: 3 Wade St. Augusta ME	622-3101w	cjohnson@nrcm.org
	Mr. Patrick	Patrick	McGowan	Department of Conservation		
	Ms. Karin	Karin	Tilberg	Department of Conservation		
	Mr. Barry	Barry	Ouelette	75 Pleasar Fort Kent ME	834-6711	631-barrywood@nci2.net
	Mr. Roy	Roy	Gardiner			
	Mr. Lee	Lee	Patterson			

Memorandum of Agreement
Between
Maine Department of Conservation
And the
United States Department of the Interior
National Park Service

WHEREAS, the National Park Service and Maine Department of Conservation share the mutual goal of preserving the significant natural and cultural resource values and wilderness recreation experience that continue to make the Allagash Wilderness Waterway a resource of exceptional value to the citizens of Maine and the United States; and

WHEREAS, the State of Maine, through the Department of Conservation, has the management authority and responsibility for the Allagash Wilderness Waterway under the State statutes governing the Waterway, primarily 12 MRSA Section 1871 et seq., and as a state-managed "wild" component of the National Wild and Scenic Rivers system under Section 2(a) of the Wild and Scenic Rivers Act; and

WHEREAS, the National Park Service has found that the Department of Conservation's management of the Waterway has achieved substantial success in ensuring that the vast majority of the Waterway experience is intact, and in many instances enhanced, by thirty years of Waterway management; and

WHEREAS, the National Park Service has authority and responsibility to administer Section 7 of the Wild and Scenic Rivers Act to ensure compatibility of "federally assisted" water resource development projects on the Allagash Wilderness Waterway and other Wild and Scenic Rivers; and

WHEREAS, the Department of Conservation reconstructed the Churchill Dam on the Allagash in 1997 without obtaining a permit from the US Army Corps of Engineers, which in turn necessitates, for permit approval, the review and consent of the National Park Service for projects affecting designated Wild and Scenic Rivers such as the Allagash;

Now, therefore, in consideration of the foregoing and the mutual covenants contained herein, the parties agree as follows:

I. PURPOSES

A. This agreement is entered into by and between the National Park Service (NPS) and the Maine Department of Conservation (DOC) to resolve all matters pertaining to the NPS' review of the Churchill Dam project on the Allagash Wilderness Waterway (US Army Corps of Engineers file number 200002730).

B. This agreement re-affirms the DOC's commitment to manage the Allagash Wilderness Waterway to meet the objectives and responsibilities of a state-administered river under the federal Wild and Scenic Rivers Act and the State statutes governing the Waterway.

C. This agreement re-affirms the parties' continued understanding that the State of Maine has the responsibility and authority to manage and administer the Allagash Wilderness Waterway as a "wild" component of the Wild and Scenic River System in accordance with the State statutes governing the Allagash Wilderness Waterway and does not represent an expansion of NPS authority under state or federal laws.

II. DOC AGREES TO UNDERTAKE THE FOLLOWING MEASURES:

A. On-The-Ground Mitigation Efforts

DOC will complete the following actions within two years of the date the Corps issues a permit to the department for Churchill Dam:

1. Plant and revegetate the riprap abutments of Churchill Dam to encourage the continued growth of natural, non-woody vegetation, in a manner that does not compromise the integrity and operation of the dam.
2. Relocate the visitors' vehicle parking area from near Churchill Dam to an upland location not visible from the river, the dam, and their immediate environs. The site of the current parking lot will be restored to a naturally vegetated condition, leaving in place a travel surface for future access to the boarding house and the campsite accessible for persons with disabilities.
3. Plant additional vegetation (and/or allow existing vegetation to grow and mature) as necessary to create a more natural setting for the river users as they launch, portage, and visit in the vicinity of the river, dam, boarding house, and barn (a view through trees of and from the Ranger cabin is allowed).
4. Lengthen the distance of the pedestrian trail at the former site of Bissonnette Bridge so that motor vehicles are kept a minimum of 400 feet from the shore. The department's project design will not result in a request to fill wetlands or the watercourse if at all possible. The department will promote conversion to a trail by prohibiting vehicle access, and with landowner permission, blocking the privately-owned road.
5. Any development of the access at the proposed Churchill Lake canoe access site, T9R12 (aka John's Bridge) will include redesigning this project to make the road to the parking area, the parking area, and all associated infrastructure entirely outside the Restricted Zone with only a foot trail from the parking

area to the high water mark. The department's project design will not result in a request to fill wetlands or the watercourse if at all possible. Only if landowner approval for the parking lot is not available, may the Department locate the parking area and associated infrastructure at the outer edge of the Restricted Zone, still leaving only a foot trail from the parking area to the high water mark. This redesign is subject to all applicable permit requirements. Non-motorized, wheeled devices to assist in moving canoes and dunnage from the parking lot to the water are acceptable.

B. Resource Planning and Management

1. **Historical Resources.** The DOC will develop and carry out a program of historical resource identification, planning and preservation with a target completion date of five years from the date the Corps issues a permit to the DOC for Churchill Dam.

Activities taken under this section of the agreement shall be implemented through a process that provides for public comment and full involvement from the Allagash Waterway Advisory Council, landowners, NPS, and interested groups.

The DOC will use its regular appropriations for this program in consideration with its other program priorities, and if necessary seek funds from grants and outside sources. The DOC will pursue additional appropriated funds if needed to complete the program and will continue to make the program a priority until it is completed. Pursuing additional funding is considered to be a good faith effort to complete the program in compliance with this agreement.

- a. The DOC will prepare or contract for the preparation of:
 1. Historic Resource Study for the Allagash Wilderness Waterway that will: establish historical contexts for logging and outdoor recreation along the Waterway, identify property types and individual properties associated with these contexts establish character-defining features of Allagash structures, and nominate selected properties for listing on the National Register of Historic Places
 2. Historic Structure Report for the boarding house at Churchill Depot
- b. Documentation, to standards established by the Historic American Buildings Survey/Historic American Engineering Record (HABS/HAER), of the Eagle Lake Tramway and Eagle Lake and West Branch Railroad. This documentation will include the remnants of

these two log transportation methods, as well as the larger context of the various water control structures (dams and the Telos Cut) that facilitated the transportation of logs to mills throughout the history of lumbering in the Allagash.

The historic resource study, historic structure report, and documentation as described above shall be prepared in accordance with the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation.

- c. Along with the activities above describing historical resources, DOC will continue with its program of identifying and preserving prehistoric sites and artifacts.
2. **Review of 1999 Allagash Wilderness Waterway Plan.** Within two years of the date the Corps issues a permit to the DOC for Churchill Dam, the department will review its 1999 Management Plan according to the following provisions and understandings:
 - a. **Background.** The parties recognize and agree that the 1999 Management Plan is generally consistent with the preservation of outstanding resource values under the state Allagash statute and the Wild and Scenic Rivers Act (WSRA).
 - b. **Review Process.** The review process will produce recommendations to the DOC for revisions to the 1999 Management Plan. The parties agree to explore conducting the review through a neutral facilitator. The review shall be conducted through a process that provides for public comment and full involvement from the Allagash Waterway Advisory Council, landowners, NPS, and interested groups. Before beginning the review, a proposal for the review process will be made in consultation with the Allagash Waterway Advisory Council.
 - c. **Purposes.** The purposes of the review are to:
 1. Develop recommendations for additions to the 1999 Management Plan on how the WSRA and federal guidelines on WSRA rivers should be interpreted and applied to the Allagash Wilderness Waterway, specifically dams, bridges, and buildings and the type of and number of access points, with the understanding that a number of vehicle access points will remain and that access in some areas of the waterway will be less than 500 feet.

2. Make recommendations to incorporate the intent of the federal "wild" river designation into the 1999 Management Plan.
3. Consider the use of the Allagash Wilderness Waterway by Maine citizens when examining the relationship between the state Allagash statute and the WSRA.

III. NPS AGREES TO TAKE THE FOLLOWING MEASURES:

A. NPS Planning/Policy Assistance

The NPS will assist the DOC to review draft documents and attend meetings, in implementing this agreement.

B. Advisory Council Participation

At the request of the DOC, the NPS will assign a project liaison to regularly attend any future meetings of the Bureau of Parks and Lands Allagash Waterway Advisory Council.

C. Churchill Dam Permit

Once signed by both parties, this agreement will constitute the basis of the NPS' final Section 7 determination for Churchill Dam. The NPS will notify the Corps in writing of the acceptance of this Memo of Agreement and its approval of the issuance of the Corps 404 permit based on the mitigation measures contained in this Agreement.

IV. IMPLEMENTATION OF THIS AGREEMENT

1. **US Army Corps of Engineers 404 Permit.** The parties agree that implementation of the measures specified in this agreement satisfy the mitigation that NPS is requiring related to issuance of a Corps of Engineers permit for construction of the Churchill Dam project. The parties agree that the provisions of this agreement will be completed if the Corp issues a 404 permit for which the DOC has applied (Churchill Dam, its canoe landing, and associated infrastructure at the site). This agreement is null and void if the Corps does not issue the permit for which the DOC has applied.

2. Terms of this agreement are enforceable only by the parties hereto and, once incorporated into the Corps permit, also by the Corps of Engineers.

The parties hereby execute this agreement by their duly authorized representatives' signatures on the dates indicated below.

NATIONAL PARK SERVICE

By Marie Rust

Date 2-22-02

Marie Rust, Regional Director
National Park Service, Northeast Region

STATE OF MAINE DEPARTMENT OF CONSERVATION

By Ron Lovaglio

Date Feb. 22, 2002

Ronald B. Lovaglio, Commissioner
Maine Department of Conservation

Allagash Wilderness Waterway Advisory Council (2.24.04)

Sarah Medina Seven Island Land Co. P.O. Box 1168 Bangor, ME 04402-1168	Dean Bennett 232 Bean Road Mt. Vernon, ME 04352	<u>Chair:</u> David Soucy, Director Bureau of Parks and Lands
Rick Denico RFD 1, Box 2530 Vassalboro, ME 04989	Don Hudson Chewonki Foundation 485 Chewonki Neck Road Wiscasset, ME 04578	<u>Staff:</u> Tim Hall, Manager Parks Northern Region Bureau of Parks and Lands
Cathy Johnson NRCM 3 Wade Street Augusta, ME 04330	Don Nicoll 9 Highland Street Portland, ME 04103-3004	Marilyn Tourtelotte, Manager Allagash Wilderness Waterway, Bureau of Parks and Lands
John Richardson Nugent's Camps HCR 76, Box 632 Greenville, ME 04441	Bill Sylvester Clayton Lake Woodlands P.O. Box 633 Clayton Lake, ME 04737	
Gary Pelletier RR 2, Box 815 Fort Kent, ME 04743	Dick Walthers Trout Unlimited 75 Bow Street Otisfield ME 04270	
Jym St. Pierre RESTORE 9 Union Street Hallowell, ME 04347	Phyllis Jalbert 312 State Street Brooklyn, N.Y. 11201	
Larry Totten 12 Millstone Drive W. Bath, ME 04530	Kevin Slater Mahoosuc Guide Service Bear River Road Newry, ME 04261	
Jennifer Burns Maine Audubon Society 20 Gisland Farm Road Falmouth, ME 04105	John Boland DIF&W 284 State Street Augusta, ME 04330	
Richard Barringer School of Public Policy, USM P.O. Box 9300 Portland, ME 04104-9300	<u>Invited Participant:</u> Jamie Fosburgh National Park Service Boston, MA	

- 04 DEPARTMENT OF CONSERVATION
- 059 BUREAU OF PARKS AND LANDS
- Chapter 2: RULES AND REGULATIONS FOR THE ALLAGASH WILDERNESS
WATERWAY
-

SUMMARY: These rules govern public recreational uses of the Allagash Wilderness Waterway, and the approval and notification of timber harvesting, herbicide applications, and new construction in the Quarter Mile Zone.

SECTION 1. DEFINITIONS

- 1.1 Allagash Waterway or Waterway: The area of the waterway means the bodies of water consisting of lakes, rivers and streams extending from Telos Lake Dam northerly to the confluence of West Twin Brook and Allagash river, a distance of approximately 85 miles, and bodies of water consisting of lakes and streams, extending from where Allagash Stream crosses the West Boundary of T8 R14, easterly to the inlet of Allagash Stream with Chamberlain Lake, a distance of approximately 10 miles. The waterway includes Telos Lake, Round Pond (T6 R11), Chamberlain Lake, Eagle Lake, Churchill Lake, The Allagash River, Umsaskis Lake, Long Lake, Harvey Pond, Round Pond (T13 R12), the Allagash Stream, Allagash Lake, and all intervening and connecting bodies of water. It shall include all land area and all waters within one mile of the high water mark of the shore lines of the aforementioned lakes and ponds, intervening and connecting bodies of water, and the high water marks of either bank of the aforementioned streams and rivers.
- 1.2 Campsite cell: An area within a designated campsite designed to accommodate one camping party and containing a fireplace and a picnic table. Campsites may contain one or more cells.
- 1.3 Canoe: A canoe is defined as a form of small watercraft long and narrow, sharp on both ends or sharp on one end and blunt at the other, usually propelled by paddles or small motors and having no sails. The width at the widest point shall not exceed 20% of the craft's overall length, nor shall the transom, if any, exceed 26 inches in width. Measurement shall be the outside of the hull but shall not include gunwales, rub rails, or spray rails, if any.
- 1.4 Dead: Trees that exhibit a near total loss of foliage and have a cambial layer that is discolored.

- 1.5 Dead or Dying Area: A harvest or sub-harvest area will be considered dead or dying if 70% or more of its trees 6 inches in diameter and larger measured at 4 1/2 feet above ground level, are expected to be dead within five years. Includes merchantable trees that have been uprooted or fallen because of natural causes.
- 1.6 Dying: Reasonably expected to be dead due to natural causes within five years; (e.g. spruce or fir severely defoliated in 3 successive years, trees with broken tops, blowdowns and windthrown trees, fire damaged or diseased).
- 1.7 Entry: The period of operation in each harvesting application received by the Bureau of Parks and Lands.
- 1.8 Harvesting Area: Total contiguous area within the One-Mile Area of the Waterway proposed for commercial operation or pre-commercial operation, at one entry.
- 1.9 Merchantable: Trees that are useable for a wood product, whether the market exists or not.
- 1.10 New Construction: Includes any new buildings, roads, and other development. Does not include maintenance or repair work such as grading, reditching, replacement of culverts or replacement of bridge decks and stringers.
- 1.11 One-Mile Area: All land area and all waters within one mile of the high water mark of the shorelines of the Allagash Watercourse.
- 1.12 Pre-Commercial Thinning: Timber cutting operation that does not include removal of trees six inches in diameter or greater (4 1/2 feet above ground level) from the stand.
- 1.13 Restricted Zone: "Restricted Zone" means a land area of from 400 feet to 800 feet that extends in all directions from the bounds of the watercourse, and includes all land areas within the bounds of the watercourse and all additional areas that may be added by mutual agreement between the director and private property owners.
- 1.14 Sub-Harvest Area: Units within the harvest area that will be cut using different harvesting techniques, usually because of steepness of slope, species composition, soils, and/or condition of trees.
- 1.15 Visible Area: Those land areas that can be seen at any point on the watercourse from Churchill Dam north, without the aid of any magnifying devices.
- 1.16 Watercourse: "The watercourse" means the bodies of water consisting of lakes, river and streams extending from Telos Lake Dam northerly to the confluence of West Twin Brook and Allagash River, a distance of approximately 85 miles, and bodies of water consisting of lakes and streams extending from where Allagash Stream crosses the west boundary of T8 R14 easterly to the inlet of Allagash Stream with Chamberlain Lake, a distance of approximately 10 miles. The watercourse includes Telos Lake, Round Pond (T6 R11), Chamberlain Lake, Eagle Lake, Churchill Lake, the Allagash River, Umsaskis Lake, Long Lake, Harvey Pond, Round Pond (T13 R12) the Allagash Stream, Allagash Lake and all intervening and connecting bodies of water.

SECTION 2 Rules for Recreational Uses and Access

2.1 REGISTRATION:

Each party intending to camp overnight at an Allagash Wilderness Waterway campsite must register at the first opportunity at a North Maine Woods control station, an AWW Ranger Station, or with an AWW ranger.

2.2 CAMPING:

- A. Visitors shall pay any fees charged by the Bureau.
- B. Camping is prohibited except at authorized campsites. Authorized campsites are identified by signs and indicated in the Bureau's Waterway brochure. Campsites consist of one or more individual cells each including a picnic table and a fireplace.
- C. Camping is prohibited in parking areas, except camping will be allowed from October 1 to May 15 in the parking area at Chamberlain Thoroughfare, with the exception noted in section E.1, and October 1 to November 30 in the parking area at Umsaskis Thoroughfare.
- D. Camping will be allowed on consecutive nights on any campsite if, in the judgment of the Bureau, as represented by its authorized employees, such use is not an inconvenience to other users of the Waterway.
- E. WINTER CAMPING AT CHAMBERLAIN THOROUGHFARE AND KELLOGG BROOK
 - 1. Winter camping in the Chamberlain Thoroughfare parking area and the Kellog Brook site will not be permitted from the first Sunday in December to the second Saturday in December. All camping equipment must be removed from the parking area and Kellog Brook site during this period. Any camping equipment remaining in the parking area or Kellog Brook site may be subject to removal by the Bureau, at the owner's expense. The parking area and Kellog Brook site will be open to campers from 8:00 AM on the second Saturday in December to May 15.
 - 2. Camping spaces in the parking area and the Kellog Brook site will be allotted on a first-come, first-served basis until the campground capacity is reached. Registration takes place at the Chamberlain Thoroughfare Bridge ranger station, beginning at 8:00 AM on the second Saturday in December. No camping equipment shall be left on-site without first registering.
 - 3. One self-contained camping unit will be allowed per site.
 - 4. Unregistered campers must register with the Waterway ranger upon arrival at Chamberlain Thoroughfare.
 - 5. Full payment of the required fee will be due at the time of registration.

6. Assignment, subletting, and commercial use of campsites are not allowed.

2.3 GROUP SIZE

- A. Groups of more than 12 persons of any age, including trip leaders and/or guides, are prohibited from traveling on the Allagash watercourse or camping at Allagash Waterway campsite cells. (See exception under rule 2.3C)
- B. Groups that exceed this limit and intend to use the watercourse or campsites must:
 - 1. divide into self-contained groups of 12 or fewer persons and travel out of sight of each other or at least one half mile apart;
 - 2. not share equipment or campsite cells.
- C. Oversized groups that were "grandfathered" by rule in 1974 may be granted a permit that will allow them to exceed the 12 person maximum by no more than the number of persons in the largest group the organization registered in the past three years. In no case shall the number of persons in the group exceed 18. In any one year, oversized groups will not be permitted more trips than the largest number of trips they had in any of the previous three (3) years.
- D. Trip Leader Permits are required for boys and girls camps licensed by the Maine Department of Human Services, or those camps located in another state that requires a similar license. Such camps, in conducting trips in the Waterway, shall:
 - 1. provide at least one staff member over 18 years of age for each 6 campers, and;
 - 2. ensure that the staff member in charge of the trip holds a valid Trip Leader Permit.

2.4 RESOURCE DAMAGE

The cutting or damaging of live trees or brush within the Restricted Zone, except to maintain safe roadways and for authorized activities of the Bureau, is prohibited. The damage or removal of anything prehistorical or historical within the Restricted Zone is prohibited.

2.5 OPEN FIRES

- A. Open fires are allowed only in fireplaces provided by the Bureau.
- B. No person shall build fireplaces in addition to those provided by the Bureau.
- C. When the ground is snow covered, fires must be built in authorized fireplaces, on authorized campsites, or on the ice below the high water mark.
- D. No fire shall be left unattended.

2.6 LITTER/REMOVAL OF WASTE

- A. Littering is prohibited. Visitors must carry out all refuse. Unburned refuse left in fireplaces will be considered litter.
- B. The discharging of wastes of any kind, including, but not limited to soaps and detergents in the waters of the Allagash Wilderness Waterway is prohibited.

2.7 USE OF TRAILS, PARKING, AND OTHER AREAS

Vehicles, including campers, snowmobiles, and ATV's, parked in unauthorized areas within the Restricted Zone, may be removed at the owner's expense.

2.8 USE OF WATERCRAFT

- A. From the south end of Telos Lake to the north end of Chamberlain Lake, the use of all models of personal watercraft (PWC), hovercraft, airboats, racing boats, and pontoon boats is prohibited.
- B. From Lock Dam Stream, where it enters Eagle Lake north to Twin Brook Rapids, only canoes without motor or motors not exceeding 10 H.P., may be used on the watercourse.
- C. On Allagash Lake and Allagash Stream to the red posts at the entrance of Chamberlain Lake, all watercraft are prohibited except canoes without motors.
- D. Except on Telos and Chamberlain Lakes, the use of inflatable watercraft is prohibited.
- E. Water skiing or other activities in which individuals are towed behind watercraft are prohibited.

2.9 SWIMMING

Swimming, jumping, and diving from all dams and bridges is prohibited.

2.10 ACCESS BY MOTOR VEHICLE

- A. Unless otherwise provided for by these rules, access by motor vehicle to the watercourse shall be prohibited except at the following locations. Limited access at John's Bridge is as provided in section 2.11.

Chamberlain Thoroughfare Bridge, T6-R11;
Indian Stream, T7-R12;
Churchill Dam, T10-R12;
Bissonette Bridge, T10-R12;
Umsaskis Launching Area, T11-R13;
Henderson Brook Bridge, T13-R12
Michaud Farm, T15-R11;

Finley Bogan T15-R11;
Twin Brook, Allagash Plantation.

For the purposes of this rule, access by motor vehicle shall be defined as the stopping or standing of a motor vehicle and/or a trailer for the purpose of loading or unloading people, watercraft, baggage or provisions.

- B. Parking of vehicles in the Restricted Zone is prohibited except within designated parking areas at the following locations:

Churchill Dam, T10-R12;
Umsaskis Thoroughfare, T11-R13;
Ramsay Ledge, T15-R11;
Michaud Farm, T15-R11;
Finley Bogan, T15-R11.

- C. Unless otherwise provided for by these rules, parking for access to the watercourse is allowed outside the Restricted Zone and not to exceed any limits posted by the Bureau, only at the following designated parking lots. Parking outside the Restricted Zone for limited access at John's Bridge is as provided in section 2.11.

Chamberlain Thoroughfare, T6-R11;
Henderson Brook Bridge, T13-R12;
Indian Stream, T7-R12.

- D. Access by motor vehicle for camping at authorized campsites is allowed only at Ramsay Ledge.
- E. The operation of motor vehicles within the One Mile Area around Allagash Lake is prohibited from May 1 to September 30.
- F. The use of automobiles and trucks on ice-covered portions of the watercourse is prohibited.

2.11 JOHN'S BRIDGE, T9-R13

The launching or retrieving of watercraft or other recreational equipment, the embarking or disembarking of passengers, baggage, or provisions from the watercourse within 500 feet of John's Bridge is prohibited, except during the months of May and September, between one hour before sunrise and one hour after sunset, with a day-use permit issued by the Bureau. Overnight or multi-day trips cannot start or end at this location. Vehicle parking must be outside the Restricted Zone.

2.12 ACCESS BY SNOWMOBILES AND ATVS

- A. Access to the watercourse by snowmobiles is prohibited except at the following locations:

T6R11 - Telos Dam and Chamberlain Thoroughfare; T7 R11 - Mud Pond Carry and McNally Brooks; T7-R12, Indian Stream; T7-R13, Upper Crows Nest and Lock Dam; T7-R14, Island Road Allagash Lake and Carry Trail; T8-R13, Zeigler Trail; T8-R14, Ledge Campsite; T9-R12, Twin Brooks; T10-R12, Churchill Dam; T11-R13, Reality Road; T12-R13, Ross Stream; T13-R12, Henderson Brook Bridge; T14-R12, Burntland Brook; T15-R11, Michaud Farm and Allagash Plantation - Twin Brook.

- B. Snowmobiles are prohibited on Allagash Lake and Allagash Stream.
- C. ATVs are prohibited in the Waterway between April 1 and December 31.
- D. ATVs are allowed in the Waterway only on frozen ground from January 1 to March 31 with the following exceptions:
 - 1. ATVs are prohibited within one mile of Allagash Lake or Allagash Stream
 - 2. ATVs are prohibited on groomed snowmobile trails, except from the Chamberlain Bridge Parking Lot to Chamberlain Lake.
- E. Other than as permitted above, ATV use is allowed only for
 - 1. emergency, administrative, and forest management purposes;
 - 2. administrative purposes at Nugent's and Jalbert's camps;

2.13 ACCESS BY AIRCRAFT

- A. Aircraft may land and take off, on open water, for the purposes of embarking or disembarking passengers, baggage, or provisions, only at the following locations:
 - Telos Landing, T5-R11;
 - Chamberlain Thoroughfare Bridge, T6-R11;
 - Nugents Camps, T7-R12;
 - Lock Dam, T7-R13;
 - The Jaws between Churchill Lake and Heron Lake, T9-R12
 - Camp Drake on Umsaskis Lake, T11-R13;
 - Jalbert's Camps, Round Pond, T13-R12.
- B. Aircraft are not permitted to land or take off at any other locations within the One Mile Area except with the prior approval of the Bureau.
- C. Aircraft may land on frozen bodies of water within the One Mile Area, except Allagash Lake.

2.14 WATERCRAFT STORAGE

Watercraft, including watercraft equipment, shall not be left unattended in the Restricted Zone, except for emergency situations or temporary storage by permit. Temporary storage permits not to exceed 14 consecutive days, may be issued by the Bureau for designated locations not readily visible from the watercourse, at the sites listed below:

Chamberlain Thoroughfare (T16-R11);
Indian Stream (T7-R12);
Churchill Dam (T10-R12);
Umsaskis Thoroughfare (T11-R13);
Henderson Brook Bridge (T13-R12);
Michaud Farm (T15-R11).

Each piece of equipment, including watercraft, shall be marked with a tag issued by the Bureau of Parks and Lands clearly showing the name and address of the owner and the date the watercraft was left unattended.

Any watercraft, tent, shelter other than an ice shack, or other personal property, structure, or fixture left unattended for more than three consecutive days without written authorization from the Bureau shall be deemed to have been abandoned, and the Bureau may take custody of such property and dispose of the same in accordance with the law.

2.15 FOOT TRAILS

- A. The development and maintenance of foot trails within the Allagash Wilderness Waterway is prohibited, except, and to the extent that the landowner has given permission, those listed below:

The Allagash Mountain trail between Allagash Lake and Allagash Mountain;
The Carry Trail between Round Pond (T7-R14) and the south end of Allagash Lake;
The Johnson Pond Outlet trail between Johnson Pond and Allagash Stream (T8-R14);
The trail between Otter Pond and Allagash Lake (T8-R14);
The Indian Stream trail along Indian Stream to Eagle Lake (T7-R12);
The Priestly Mountain Trail;
The Pumphandle Trail (T8-R13);
The Round Pond Mountain trail to the Round Pond Mountain Tower (T13-R12);
The Tramway trail between Chamberlain and Eagle Lakes;
The trail to the Ice Caves from Allagash Lake;
Portage Trails at Little Allagash Falls, Lock Dam and Allagash Falls.
The portage trail between Churchill Dam and Big Eddy.

- B. Use of the Ziegler (Eagle Lake), Russell Cove (Eagle Lake), and Island Campsite (Allagash Lake) trails is prohibited between May 1 and September 30.

2.16 POWER EQUIPMENT

- A. The possession or use of power saws is prohibited within the Restricted Zone and on the watercourse, except at Nugent's and Jalbert's camps or in vehicles in transit. Chainsaws may be used at Jalbert's and Nugent's camps consistent with the terms of the Bureau's leases for these camps.
- B. The use of other motor-powered tools and equipment within the Restricted Zone and on the watercourse is prohibited, except:
1. Generators may be used in the camping areas at Chamberlain Thoroughfare Bridge and Kellogg Brook from October 1 through May 15.

2. Generators may be used at Jalbert's and Nugent's camps.
3. Power ice augers may be used on any of the lakes open to ice fishing except Allagash Lake.

2.17 CONDUCT

- A. Conduct detrimental to the safety and well being of a person or persons is prohibited, including, but not limited to disorderly conduct, indecent acts, intoxication, or coarse language.
- B. Conduct that would change or damage the natural features, structures, and wilderness character of the Waterway is prohibited.
- C. Soliciting and advertising are prohibited.

2.18 ARTIFACTS

- A. Use of metal detectors is prohibited.
- B. Artifacts within the Restricted Zone are the property of the State and their disturbance, removal, or possession is prohibited except as specifically permitted in writing by the Director of the Bureau of Parks and Lands for research, preservation, or educational purposes.

2.19 HUNTING/POSSESSION OF FIREARMS

Hunting and trapping shall be in accordance with the laws of the State of Maine, the laws and rules of the Maine Department of Inland Fisheries and Wildlife, local ordinances and the following Bureau rules:

- A. The bureau may permanently or temporarily close trails and other areas within the Restricted Zone to hunting. Trails and other areas closed to hunting shall be posted by the Bureau.
- B. Hunting within the Restricted Zone is prohibited from May 1 through September 30.
- C. Firearms and archery equipment are prohibited within the Restricted Zone from May 1 through September 30, except when being transported across the Restricted Zone. Any firearms or archery equipment being transported across the Restricted Zone from May 1 through September 30, except in a motor vehicle, must be securely wrapped in complete cover, fastened in a case, or carried in at least two pieces in such a manner that they cannot be discharged unless joined together.
- D. Discharging any firearm or archery equipment is prohibited from or within 300 feet of any picnic area, camping area or campsite, parking area, building, shelter, boat launching site, posted trail or other developed area, within the Restricted Zone, including dams, or from Chamberlain Bridge, John's Bridge, Umsaskis Thoroughfare Bridge, or Henderson Brook Bridge.

2.20 ICE SHACKS / PERSONAL PROPERTY

- A. Ice shacks are not allowed on Allagash Lake. Windbreaks may not remain on Allagash Lake overnight.
- B. Ice shacks must be removed from the watercourse within three (3) days of the close of ice fishing.
- C. Ice shacks and/or structures used for ice fishing are prohibited within the Waterway from April 3 to the second Saturday in December, except that ice shacks may be stored in the parking lot at Chamberlain Thoroughfare Bridge from April 3 until May 15.

2.21 PETS

Pets must be under the owner's control at all times and must not be left unattended. Pet owners are required to immediately clean up any fecal deposits left by their pets on campsites, trails, and in parking lots, and other developed areas, within the Restricted Zone.

2.22 EXCEPTIONS

State employees or their representatives in the official conduct of their duties and with prior permission from the Bureau may be exempted from the above rules.

SECTION 3. TIMBER HARVESTING/HERBICIDE TREATMENT/NEWCONSTRUCTION

3.1 TIMBER HARVESTING

- A. A management plan for all forest operations within the Waterway must be submitted to the Bureau of Forestry on the appropriate section(s) of the Forest Operation Notification.
- B. Forestry Operations in Visible Areas must receive the prior written approval of the Bureau of Parks and Lands. Maps of Visible Areas are available from the Bureau of Parks and Lands.
- C. Standards for timber harvesting in the Visible Area of the Waterway and associated road construction are presented in section 4.2 of these rules. Timber harvesting approval for the remainder of the Waterway within the One-Mile Zone is not required, but the Bureau must receive prior notification of plans to harvest.
- D. Harvesting in Visible Areas that exceeds the standards, can only take place to remove trees that are dead, dying, or damaged by natural causes, or is the sole economically feasible silvicultural alternative. Such proposed harvesting must be reviewed in the field by Bureau staff with landowner representatives in order to determine the impact on the natural character of the Visible Area, as well as the ramifications of disapproval. In such cases, additional information may be requested of the applicant to justify exceeding the standards.
- E. For harvesting in the Waterway outside of the visible area, submission of the appropriate section(s) of the Forest Operations Notification will serve as notification by the landowner of plans to harvest.

3.2 STANDARDS

The following standards will apply to timber management and associated activities. A management plan will be approved by the Bureau of Parks and Lands if these standards are met.

- A. Timber Harvesting in the Restricted Zone is not permitted except for reasons of public safety or partial clearing for administrative purposes (campsites, ranger cabins, authorized trails, etc.) Visual enhancement cuts are not allowed.
- B. Timber Harvesting in Visible Areas of the Waterway shall not remove in any 10 year period more than 40% of the volume of trees 6 inches or greater in diameter, measured 4 1/2 feet above ground level, in the area to be cut; however, all remaining merchantable trees in an area may be harvested in the removal stage of a shelterwood system providing that sufficient natural regeneration is present on the site. Evidence of adequate, well distributed natural regeneration must be included with the application for the removal harvest of a shelterwood.
- C. Strip or patch cuts in the Visible Area should be oriented perpendicular to the line of sight from the river. Maximum harvest openings for the strip or patch cuts based on slopes are as follows:

Allagash River		Umsaskis Lake		
Slope	Max.Width Max.	Size	Slope Max.Width Max.	Size
0-5%	2000'50 acres	0-5%	1800'50 acres	
6-10%	2000'50 acres	6-10%	650'20 acres	
11-15%	2000'50 acres	11-15%	350'20 acres	
16-20%	1800'20 acres	16-20%	250'10 acres	
21-25%	900'20 acres	21-25%	180'10 acres	
26-30%	600'10 acres	26-30%	140' 5 acres	
31-35%	450'10 acres	31-35%	100' 5 acres	
36-40%	350' 5 acres	36-40%	80' 5 acres	

Long Lake		Round Pond		
Slope	Max.Width Max.	Size	Slope Max.Width Max.	Size
0-5%	2000'50 acres	0-5%	1800'50 acres	
6-10%	750'20 acres	6-10%	650'20 acres	
11-15%	400'20 acres	11-15%	350'20 acres	
16-20%	250'10 acres	16-20%	250'10 acres	
21-25%	200'10 acres	21-25%	180'10 acres	
26-30%	150' 5 acres	26-30%	140' 5 acres	
31-35%	100' 5 acres	31-35%	100' 5 acres	
36-40%	100' 5 acres	35-40%	80' 5 acres	

- D. Timber harvesting in other areas of the Waterway, outside the Visible Area, requires only notification of the Bureau of Parks and Lands through the appropriate section of the Forest Operations Notification.
- E. Road construction for timber harvesting in the Restricted Zone is not permitted, although winter roads may cross the watercourse at right angles with the prior written permission of the director.
- F. Roads for timber harvesting in Visible Areas of the Waterway should be designed to follow the contours of the land, avoiding straight lines and taking advantage of foreground vegetation for screening.

3.3 NEW CONSTRUCTION

Prior written approval by the Bureau of Parks and Lands of new construction with 1/4 mile of the Restricted Zone is required. New construction approval application forms are available from the Bureau of Parks and Lands.

3.4 HERBICIDE TREATMENT

All proposed herbicide treatments must be submitted to the Bureau of Parks and Lands. Prior written approval by the Bureau of Parks and Lands of herbicide treatments within Visible Areas is required. Herbicide application forms are available from the Bureau of Parks and Lands.